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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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11 DAVID LOPEZ MAYRENA,

12 Plaintiff,

13 v.

14 UNITED STATES IMMIGRATION AND  
CUSTOMS ENFORCEMENT OFFICE  
DIRECTOR,

15 Defendant.  
16

CASE NO. 2:24-cv-00479-DGE-

SKV

ORDER DISMISSING WITH  
PREJUDICE AND DECLINING  
REPORT AND  
RECOMMENDATION (DKT. NO.  
12)

17 This matter comes before the Court on the Honorable S. Kate Vaughan, United States  
18 Magistrate Judge's Report and Recommendation (Dkt. No. 12) and Respondent United States  
19 Immigration and Customs Enforcement Field Office Director's Notice of Change in Custody  
20 Status. (Dkt. No. 13.)

21 On May 10, 2024, Petitioner's petition was filed with the Court. (Dkt. No. 7.) Petitioner  
22 argued his continued detention beyond the 90-day removal period allowed under  
23 8 U.S.C. § 1231(a)(1)(A) violated his Fifth Amendment due process rights. (*Id.* at 1–2.)  
24

1 Petitioner requested the Court order either that he be removed to Nicaragua or that he be released  
2 from detention. (*Id.* at 3.) On “August 22, 2024, Petitioner was removed from the United States  
3 to Nicaragua.” (Dkt. No. 14 at 2.) As such, this matter is MOOT.

4 The Court DISMISSES with prejudice Petitioner’s habeas petition and DECLINES to  
5 adopt the Honorable S. Kate Vaughan, United States Magistrate Judge’s Report and  
6 Recommendation.

7 IT IS SO ORDERED.

8 Dated this 16th day of September, 2024.

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David G. Estudillo  
United States District Judge  
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